



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUN 21 2013

REPLY TO THE ATTENTION OF:

Mr. Ben Wetzell, Waste Services Manager
Dem-Con Companies, LLC
103020 Dem-Con Drive
Shakopee, Minnesota 55379

Re: Off-Site Rule Acceptability Determination
Dem-Con Landfill, LLC
MND 985 678 614

Dear Mr. Wetzell:

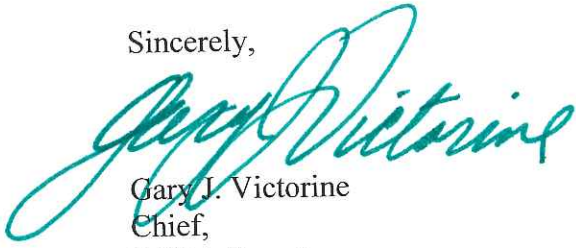
This letter is in response to your April 30, 2013 email to William Damico, of my staff, regarding the Dem-Con Landfill, LLC in Shakopee, MN facility request for CERCLA Off-Site Rule acceptability.

Pursuant to 40 C.F.R. § 300.440 (b), my staff has determined that Dem-Con Landfill, LLC has two receiving units as that term is used in the CERCLA Off-Site Rule. These two receiving units are the unlined construction and demolition portion and the lined portion as marked on the map provided as an attachment to the May 31, 2013 email from William Keegan. At this time, there is insufficient information to determine that the unlined construction and demolition portion meets the criteria to be determined to be acceptable and this unit will not be acceptable until there is sufficient information. The lined portion of the landfill does meet the acceptability criteria in 40 C.F.R. § 300.440 (b). Therefore, the lined portion of the Dem-Con Landfill, LLC located at 13020 Dem-Con Drive, Shakopee, Minnesota is acceptable to receive waste from CERCLA sites.

This acceptability determination is based on the assumption that only wastes which comply with the permits issued to USA Lamp & Ballast, Inc. will be accepted. It is your responsibility to review any proposed waste streams for compliance with the permits for your facility.

Please note that this determination is based on the available information at the time of the review. Your status could be changed any time relevant information becomes available according to the procedures in 40 C.F.R. § 300.440 (d). Generators who need to use a currently acceptable facility should verify the current acceptability of any facilities they wish to use with the appropriate Regional Off-Site Rule Contact(s). If you have questions, please contact Mr. Damico at (312) 353-8207.

Sincerely,



Gary J. Victorine
Chief,
RCRA Branch

cc: William Keegan, P.E. (billkeegan@dem-con.com)
Lisa Mojsiej, Minnesota Pollution Control Agency (Lisa.Mojsiej@state.mn.us)